

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Joseph ROBERTS et al.

Title: **PROTECTING THERAPEUTIC COMPOSITIONS FROM  
HOST-MEDIATED INACTIVATION**

Appl. No.: 09/972,245

Filing Date: 10/9/2001

Examiner: Richard A. Schnizer

Art Unit: 1635

Confirmation Number: 3976

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner in the Office Action dated June 23, 2009, rejecting claims 1-6, 11-13, 17-22, 41, 42 and 44. Applicant notes in this regard that the claims have been twice rejected.

☒ Applicant claims small entity status.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ To be paid as detailed below

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$540.00
<input checked="" type="checkbox"/>	Extension for response filed within the second month:	\$490.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1030.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$515.00
	TOTAL FEE:	\$515.00

The above-identified fee of \$515.00 is being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fee which may be required regarding this application, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 19 November 2009

By R. Brian McCaslin

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